

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JIMMY L. WEBB, JR.,

Defendant.

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Case No. 3:18cr112

JUDGE WALTER H. RICE

DECISION AND ENTRY FINDING DEFENDANT IN VIOLATION OF PROBATION, REVOKING SAME AND IMPOSING SENTENCE, WITH THREE YEAR PERIOD OF SUPERVISED RELEASE TO FOLLOW; CONDITIONS OF SUPERVISED RELEASE SET FORTH; DEFENDANT ORALLY EXPLAINED HIS RIGHT OF APPEAL AND HE ORALLY INDICATED AN UNDERSTANDING OF SAME; NEITHER COUNSEL FOR THE GOVERNMENT NOR FOR THE DEFENDANT HAD ANY PROCEDURAL OR SUBSTANTIVE OBJECTIONS TO THIS COURT'S DISPOSITION; TERMINATION ENTRY

On March 16, 2021, the Defendant, having previously been found in violation of his probation, a status that began on January 3, 2019, appeared in a video conference, having waived a personal appearance in court. At that time, he admitted to violation number eight, the only allegation in the Fifth Amended Petition directing him to show cause why his probation should not be revoked. As was the situation with regard to the other seven allegations, this Court accepted the admission and, once again, found him in violation of his probation.

On March 18, 2021, the Defendant appeared, by video conferencing for final disposition, again having waived a personal appearance in court. Pursuant to the record made on the aforesaid, March 18, 2021, this Court revoked the Defendant's probation and remanded him to

the custody of the Attorney General of the United States, the Bureau of Prisons, for a period of time served, being from February 28, 2021, through March 18, 2021. Said sentence of time served is to be served concurrently with the state sentence and is to be followed by a three-year period of Supervised Release, upon the following conditions:

1. Defendant is to discharge all previously undischarged conditions of Probation, including, but not limited to drug treatment, job training and mental health counseling;
2. Defendant is to serve the first four months of Supervised Release on home detention, the first two of those months to be served with a curfew and the last two months with no curfew (providing Defendant's conduct warrants such a lessened restriction);
3. Defendant is to establish contact with the Montgomery County Office of Ex-Offender Reentry, within 72 hours of release, to enroll in the Reentry Career Alliance Academy; and,
4. Defendant is to be screened for Reentry Court. The conditions regarding Reentry Court and the Reentry Career Alliance Academy are not to interfere with any employment secured by Defendant.

This Court requests Probation Officer, Eric Dern, to construct a program giving Defendant the maximum exposure to mental health treatment, which is not to be terminated without the written opinion of the mental health provider that Defendant no longer requires such treatment.

As to recommendations to the Bureau of Prisons, the Court recommends that Defendant receive the maximum amount of drug treatment and mental health counseling available. He is to be exposed to programming in critical thinking skills, cognitive behavioral therapy, moral reconation and/or thinking for a change.

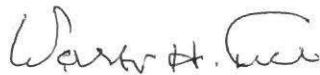
By way of explanation as to the sentence of time served, the Court states that the approximately six months that Defendant spent in custody, prior to this latest violation, is punishment sufficient but no more than needed to carry out the purposes of sentencing, with regard to violations one through seven. Moreover, in this Court's opinion, the state has adequately punished Defendant for violation number eight.

On March 23, 2021, the Defendant was ordered returned to state custody to finish serving the sentence imposed by the Common Pleas Court of Montgomery County.

Following the above, the Defendant was orally explained his right of appeal and he orally indicated an understanding of same. Neither counsel for the government nor for the Defendant had any procedural or substantive objections to this Court's disposition.

The captioned cause is ordered terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

July 27, 2021



WALTER H. RICE
UNITED STATES DISTRICT JUDGE

Copies to:

Counsel of Record
Eric Dern, USPO